

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MICHAEL BRENT KOVACH,)	
)	
Plaintiff,)	
)	
Vs.)	Civil Action No.: 1:06cv159-MEF
)	
MID SOUTH HOME CARE)	
SERVICES, INC.,)	
)	
Defendant.)	

**ANSWER OF DEFENDANT, MID SOUTH
HOME CARE SERVICES, INC., ("MID SOUTH")**

Mid South answers plaintiff's Complaint as follows:

I. INTRODUCTION

1. Mid South admits plaintiff's jurisdictional allegations, but denies that it is liability to or indebted to the plaintiff or that plaintiff is entitled to any of the relief or the damages sought.

II. JURISDICTION

2. The averments regarding jurisdiction and venue are admitted.

3. Mid South is without knowledge or information sufficient to form a belief as to the truth of the averments set forth in this paragraph, and they are denied.

III. PARTIES

4. Mid South is without knowledge or information sufficient to form a belief as to the truth of the averments set forth in this paragraph, and they are denied.

5. Admitted.

IV. FACTUAL ALLEGATIONS

6. Mid South is without knowledge or information sufficient to form a belief as to the truth of the averments set forth in this paragraph, and they are denied.

7. Admitted.

8. Denied.

9. Denied.

10. Mr. Franklin discussed very briefly with the plaintiff the position description and requirements of the job, which included moving and setting up beds. Except as expressly admitted, the remaining averments of the paragraphs are denied.

11. Denied.

12. Denied.

13. Denied.

V. CAUSES OF ACTION –

Title 1 of The Americans with Disabilities Act (ADA) and §504 of the Rehabilitation Act

14. Denied.

15. Admitted.

16. Mid South is without knowledge or information sufficient to form a belief as to the truth of the averments set forth in this paragraph, and they are denied.

17. Denied.

18. Denied.

19. Denied.

20. Denied.

21. Denied.

22. Denied.

23. Denied.

VI. PRAYER FOR RELIEF

1. Denied.

2. Denied.

3. Denied.

4. Denied.

Any averments of the Complaint not expressly admitted are denied.

/s/ William C. Carn, III

William C. Carn, III (ASB-1166-A54W)

Lee & McInish, P.C.

P.O. Box 1665

Dothan, AL 36302

Phone: (334) 792-4156

Fax: (334) 794-8342

E-mail: wcarn@leeandmcinish.com

(ASB-1166-A54W)

Certificate of Service

I hereby certify that on March 20, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Jon C. Goldfarb, Maury S. Weiner, Kell A. Simon.

/s/ William C. Carn, III

William C. Carn, III (ASB-1166-A54W)

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